

Maude E. O'Brien
vs.

William Myers, Eugene Myers
Virginia Barger, Lillian Brittain
Madeline Hines, Peyton Harkins
Naomi Gallagher, John M. Riley,
Agnes R. Kicklighter, Loretta Mc-
Cauley, Lillian M. Clunk, Ella Ban-
ahan, John E. Schroeder, Mary Har-
man, and Amos A. Holter, Adminis-
trator c.t.a. of Patrick J. O'Brien,
deceased.

No. 21,005 Equity
In the Circuit Court
For Frederick County, Md.
In Equity

Order of Publication

THIS IS TO GIVE NOTICE that
on the 16th day of June, 1965, a Bill
of Complaint was filed in the Cir-
cuit Court for Frederick County,
Maryland, by the Plaintiff against
the above Defendants, including
non-residents Lillian Brittain,
whose last known address was Ken-
nesaw, Georgia; Peyton Harkins,
whose last known address was 1019
Alabama Avenue, West Palm Beach,
Florida; and Agnes R. Kicklighter,
whose last known address was Lex-
ington Avenue, New York, New
York.

The object of this proceeding is to
obtain a Decree of Court pursuant
to Section 154 of Article 16 of the
Public General Laws of Maryland
for the sale of the real estate of
Patrick J. O'Brien, deceased.

The Bill of Complaint alleges in
substance: That Patrick J. O'Brien,
late of Frederick County, Maryland,
departed this life on or about the
16th day of March, 1964, leaving
a Last Will and Testament dated
the 15th day of November, 1919,
duly admitted to probate by the
Orphans' Court of Frederick County,
Maryland, and recorded in Liber
T.M.E. No. 3, folio 265, one of the
Will Records of the County afore-
said, which said Will was interpret-
ed and construed by your Honorable
Court in No. 20,784 Equity, and the
interest of the said decedent in and
to the several parcels of real estate
hereinafter described was declared
to vest in the several parties to this
proceeding as set forth in the De-
cree passed in No. 20,784 Equity

aforesaid; that the said Patrick J.
O'Brien was seized and possessed
of the following described pieces or
parcels of land on the date of his
death as aforesaid, to-wit: (a) All
that unimproved piece or parcel of
land situate near Knoxville, in Pe-
tersville Election District, Freder-
ick County, Maryland, lying between
the Chesapeake and Ohio Canal on
the North, and the Potomac River
on the South, containing 16 acres,
more or less, being all and the
same real estate conveyed unto Pat-
rick J. O'Brien by Clarence A.
Crampton, et. ux., by deed dated
April 15, 1918, and recorded in Liber
No. 324, folio 405, one of the Land
Records of the County aforesaid;
(b) All that piece or parcel of land
situate on the West side of the
Mountain Road, near Knoxville, in
Petersville Election District, Fred-
erick County, Maryland, containing
1 acre and 128 square perches of
land, more or less, improved with a
2-story, 6-room, 1½ baths, frame
dwelling, electric water system, and
hot water heating system fired with
oil burner, being all and the same
real estate conveyed unto the said
Patrick J. O'Brien by Amos A.
Holter, Trustee, by deed dated
July 25, 1941, and recorded in
Liber No. 430, folio 127, one
of the Land Records of the
County aforesaid; (c) All that unim-
proved piece or parcel of land situ-
ate on the east side of the Mountain
Road, near Knoxville, in the Dis-
trict, County and State aforesaid,
containing 1 rood and 19.8 square
perches of land, more or less, being
all and the same real estate convey-
ed unto Patrick J. O'Brien by Rob-
ert Russell Reed, et. ux., by deed
dated October 20, 1945, and recorded
in Liber No. 450, folio 348, one of the
Land Records of the County afore-
said; and (d) All those lots or par-
cels of land situate in or near the
Village of Weverton, in the District,
County and State aforesaid, known
and designated as Lots Nos. 25 and
26 in Section 17 on the Plat of "Part
of Weverton," improved with a 2-
story, 6-room, metal-roof, stone
house, being all and the same real
estate conveyed unto Patrick J.
O'Brien by Ella May Myers, et. vir.,
by deed dated April 19, 1952, and re-
corded in Liber No. 503, folio 586,
one of the Land Records of the
County aforesaid; that the interest
and title of the said Patrick J.
O'Brien in and to the aforesaid
real estate vested, according to the
provisions of the Decree passed in
No. 20,784 Equity, and hereinbefore
referred to as Exhibit "A," unto the
following relatives and heirs-at-law

LIBER 28 PAGE 394

The Valley Register Office

Exhibit "No. 1."

No. 21,005 Equity

Middletown, Md. July 23, 1965
Equity No. 21,005)

I hereby certify that the annexed Order of Publication

O'Brien Vs. Myers

was published in

The Valley Register, a newspaper published in Frederick County, Md.,
for 4 successive weeks, 5 times, months
prior to the 24th day of July, 1965.

THE VALLEY REGISTER

Per Mary Summers
Mary Summers

of the said decedent, to-wit: A
widow, Maude E. O'Brien, residing
at Knoxville, Maryland; a brother,
William Myers, residing at Knox-
ville, Maryland; and the following
children of a deceased brother, Har-
vey Lee Myers, to-wit: A nephew,
Eugene Myers, residing at Knoxville,
Maryland; a niece, Virginia Barger,
residing at Knoxville, Maryland; a
niece, Lillian Brittain, residing at
Kennesaw, Georgia; a niece, Made-
line Hines, residing at Jefferson,
Maryland; and the following child
of a deceased niece, Bessie Harkins,
to-wit: A great-nephew, Peyton
Harkins, residing at 1019 Alabama
Avenue, West Palm Beach, Florida;
and the following children of a de-
ceased sister, Leona O'Brien Riley,
to-wit: A niece, Naomi R. Galla-
gher, residing at 612 Grundy Street,
Baltimore, Maryland; a nephew,
John M. Riley, residing at 635A,
Forge Road, White Marsh, Mary-
land; a niece, Agnes R. Kicklighter,
residing at Lexington Avenue, New
York, New York; a niece, Loretta
McCauley, residing at 125 Pleasant
Hill Road, Owings Mills, Maryland;
and the following children of a de-
ceased sister, Mary C. (O'Brien)
Schroeder, who died at Baltimore,
Maryland, on the 18th day of March,
1959, to-wit: A niece, Lillian M.
Clunk, residing at 2917 Kingsley
Street, Baltimore, Maryland; a
niece, Ella Banahan, residing at 516
Parksley Street, Baltimore, Mary-
land; a nephew, John E. Schroeder,
residing at 12 South Monroe Street,
Baltimore, Maryland; and a niece,
Mary Harman, residing at 12 South
Monroe Street, Baltimore, Mary-
land; that Amos A. Holter, an adult
resident of Frederick County, Mary-
land, qualified as Administrator
c.t.a. of Patrick J. O'Brien, deceased,
in the Orphans' Court for Frederick
County, Maryland, on the 22nd day
of July, 1964; and is joined as a party
defendant in these proceedings; that
all the parties to these proceedings
are sui juris; that the real es-
tate hereinbefore described is not
susceptible of division without loss
or injury to the parties entitled
thereto, and that it would be for
the best interest and advantage of
all the said parties in interest that
the several parcels of property be
sold under a Decree of your Honor-
able Court, and that the proceeds
accruing from said sale be divided
among said parties in interest ac-
cording to their respective rights.

The relief prayed in the Bill of
Complaint is substantially as fol-
lows: That a Decree may be pass-
ed for the sale of the real estate
hereinbefore described under the di-
rection of Your Honorable Court,
and that the proceeds thereof may
be distributed among the parties
entitled, according to their respec-
tive interests.

WHEREFORE, it is ordered by
the Circuit Court for Frederick
County, Maryland, this 16th day of
June, 1965, that the Plaintiff cause
a copy of this Order to be inserted
in a newspaper published in Fred-
erick County, Maryland, once a week
in each of four successive weeks
before the 24th day of July, 1965,
giving notice to the said Lillian
Brittain, Peyton Harkins and Agnes
R. Kicklighter, non-resident Defend-
ants, of the object and substance of
said Bill of Complaint, warning
them, and each of them, to show
cause, if any there may be, on or
before the 24th day of August, 1965,
why a Declaratory Decree should
not be passed as prayed.

ELLIS C. WACHTER

Clerk of the Circuit Court
for Frederick County, Md.

AMOS A. HOLTER

Solicitor
29 North Court Street
Frederick, Maryland
Telephone No.: MO 3-9011
Filed June 16, 1965
True Copy Test
Ellis C. Wachter, Clerk
6-25-5t-(1)